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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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- ★ **Council and Commission Decision (EU, Euratom) 2015/60 of 15 December 2014 on the position to be taken on behalf of the European Union and the European Atomic Energy Community within the Association Council established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part, as regards the adoption of decisions of the Association Council on the Rules of Procedure of the Association Council and those of the Association Committee and of Sub-Committees, the establishment of two Sub-Committees, and the delegation of certain powers by the Association Council to the Association Committee in Trade configuration** 30
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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) 2015/56

of 15 January 2015

amending, as regards the trade in species of wild fauna and flora, Regulation (EC) No 865/2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein ⁽¹⁾, and in particular Article 19(2), (3) and (4) thereof,

Whereas:

- (1) In order to implement certain Resolutions adopted at the sixteenth meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (3-14 March 2013), hereinafter 'the Convention', certain provisions should be amended and further provisions should be added to Commission Regulation (EC) No 865/2006 ⁽²⁾.
- (2) In particular, in line with CITES Resolution Conf. 16.8, specific provisions designed to simplify the non-commercial cross-border movement of musical instruments should be inserted.
- (3) Experience gained in the implementation of Regulation (EC) No 865/2006, in conjunction with Commission Implementing Regulation (EU) No 792/2012 ⁽³⁾, has shown that some provisions therein should be amended in order to ensure that the Regulation is implemented in a harmonised and efficient manner within the Union. This is the case in particular in relation to the first introduction into the Union of hunting trophies of specimens of some species or populations listed in Annex B to Regulation (EC) No 338/97, for which there are concerns as to the sustainability of trade in hunting trophies or for which there are indications of significant illegal trade. In such cases, more stringent control of imports into the Union is necessary and the derogation set out in Article 7(3) of Regulation (EC) No 338/97 for personal and household effects should therefore not apply. Experience in implementing Regulation (EC) No 865/2006 has also shown that it was necessary to clarify that import permits should not be issued by Member States in cases where, despite a request to this end, they do not obtain satisfactory information from the exporting or re-exporting country as to the legality of the specimens to be imported into the EU.
- (4) At the sixteenth meeting of the Conference of the Parties to the Convention, the standard references for nomenclature were updated. These references are used to indicate scientific names of species in permits and certificates. Those changes should be reflected in Annex VIII to Regulation (EC) No 865/2006.

⁽¹⁾ OJ L 61, 3.3.1997, p. 1.

⁽²⁾ Commission Regulation (EC) No 865/2006 of 4 May 2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein (OJ L 166, 19.6.2006, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) No 792/2012 of 23 August 2012 laying down rules for the design of permits, certificates and other documents provided for in Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein and amending Commission Regulation (EC) No 865/2006 (OJ L 242, 7.9.2012, p. 13).

- (5) Regulation (EC) No 865/2006 should be amended accordingly.
- (6) As this Regulation should be used in conjunction with Regulation (EU) No 792/2012, it is important that both Regulations apply as of the same day.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Trade in Wild Fauna and Flora,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 865/2006 is amended as follows:

- (1) Article 1 is amended as follows:

- (a) point (1) is replaced by the following:

‘(1) “date of acquisition” means the date on which a specimen was taken from the wild, born in captivity or artificially propagated, or, if such date is unknown, the earliest provable date on which it was possessed by any person;’;

- (b) point (6) is replaced by the following:

‘(6) “travelling exhibition” means a sample collection, circus, menagerie, plant exhibition, orchestra or museums exhibition that is used for commercial display for the public;’.

- (2) In Article 4(1), the second subparagraph is replaced by the following:

‘However, applications for import and export permits, for re-export certificates, for the certificates provided for in Articles 5(2)(b), 5(3), 5(4), 8(3) and 9(2)(b) of Regulation (EC) No 338/97, for personal ownership certificates, for sample collection certificates, for musical instrument certificates and for travelling exhibition certificates as well as import notifications, continuation sheets and labels may be completed in manuscript, provided this is done legibly, in ink and in block capitals.’.

- (3) In Article 7, the following paragraph 6 is added:

‘6. Export permits and re-export certificates issued by third countries shall be accepted only if the competent authority from the third country concerned provides, where requested to do so, satisfactory information that the specimens were obtained in accordance with the legislation on the protection of the species concerned.’.

- (4) Article 9 is replaced by the following:

Article 9

Shipments of specimens

Without prejudice to Articles 31, 38, 44b, 44i and 44p, a separate import permit, import notification, export permit or re-export certificate shall be issued for each shipment of specimens shipped together as part of one load.’.

- (5) Article 10 is amended as follows:

- (a) the title is replaced by the following:

‘Validity of import and export permits, re-export certificates, travelling exhibition certificates, personal ownership certificates, sample collection certificates and musical instrument certificates’;

- (b) paragraph 3 is replaced by the following:

‘3. The period of validity of the travelling exhibition certificates, personal ownership certificates and musical instrument certificates issued in accordance with Articles 30, 37 and 44h respectively shall not exceed three years.’;

(c) paragraphs 5 and 6 are replaced by the following:

‘5. Travelling exhibition certificates, personal ownership certificates or musical instrument certificates shall cease to be valid if the specimen is sold, lost, destroyed or stolen, or if ownership of the specimen is otherwise transferred, or, in the case of a live specimen, if it has died, escaped or been released to the wild.

6. The holder shall, without undue delay, return to the issuing management authority the original and all copies of any import permit, export permit, re-export certificate, travelling exhibition certificate, personal ownership certificate, sample collection certificate or musical instrument certificate, which has expired or which is unused or no longer valid.’.

(6) Article 11 is amended as follows:

(a) in paragraph 1, point (c) is replaced by the following:

‘(c) where specimens referred to therein have been lost, destroyed or stolen;’;

(b) in paragraph 2, point (c) is replaced by the following:

‘(c) where specimens referred to therein have been lost, destroyed or stolen.’.

(7) In Article 14, the second paragraph is replaced by the following:

‘However, certificates of origin for specimens of species listed in Annex C to Regulation (EC) No 338/97 may be used for the introduction of specimens into the Union until 12 months from their date of issue and travelling exhibition certificates, personal ownership certificates and musical instrument certificates may be used for the introduction of specimens into the Union and for the purpose of applying for respective certificates in accordance with Articles 30, 37 and 44h of this Regulation until three years from their date of issue.’.

(8) The following Chapter VIIIb is inserted after Article 44g:

‘CHAPTER VIIIb

MUSICAL INSTRUMENT CERTIFICATE

Article 44h

Issue

1. Member States may issue a musical instrument certificate for non-commercial cross-border movement of musical instruments for purposes including, but not limited to, personal use, performance, production (recordings), broadcast, teaching, display or competition, where such instruments meet all of the following requirements:

(a) they are derived from species listed in Annexes A, B or C of Regulation (EC) No 338/97, other than specimens of species listed in Annex A of Regulation (EC) No 338/97 acquired after the species was included in Appendices to the Convention;

(b) the specimen used in the manufacture of the musical instrument has been legally acquired;

(c) the musical instrument is appropriately identified.

2. A continuation sheet shall be attached to the certificate for use in accordance with Article 44m.

Article 44i

Use

The certificate may be used in either of the following ways:

(a) as an import permit in accordance with Article 4 of Regulation (EC) No 338/97;

(b) as an export permit or re-export certificate in accordance with Article 5 of Regulation (EC) No 338/97.

*Article 44j***Issuing authority**

1. The management authority of the State of usual residence of the applicant shall be the issuing authority for a musical instrument certificate.
2. The musical instrument certificate shall include the following text in box 23 or in an appropriate annex to the certificate:

'Valid for multiple cross-border movements. Original to be retained by holder.

The musical instrument covered by this certificate, which permits multiple cross-border movements, is for non-commercial use for purposes including, but not limited to, personal use, performance, production (recordings), broadcast, teaching, display or competition. The musical instrument covered by this certificate may not be sold or possession of it transferred whilst it is outside the State in which the certificate was issued.

This certificate must be returned to the management authority of the State which issued the certificate before the expiration of the certificate.

This certificate is not valid unless accompanied by a continuation sheet, which must be stamped and signed by a customs official at each border crossing.'

*Article 44k***Requirements for specimens**

Where a specimen is covered by a musical instrument certificate, the following requirements shall be met:

- (a) the musical instrument must be registered by the issuing management authority;
- (b) the musical instrument must be returned to the Member State in which it is registered before the date of expiry of the certificate;
- (c) the specimen may not be sold or possession of it transferred whilst outside the applicant's State of usual residence except subject to the conditions provided for in Article 44n;
- (d) the musical instrument must be appropriately identified.

*Article 44l***Applications**

1. An applicant for a musical instrument certificate shall provide information as set out in Articles 44h and 44k and, where appropriate, complete boxes 1, 4 and 7 to 23 of the application form and boxes 1, 4 and 7 to 22 of the original and all copies of the certificate.

Member States may provide that only an application form is to be completed, in which case such an application may be for more than one certificate.

2. The duly completed application form shall be submitted to a management authority of the Member State of usual residence of the applicant together with the necessary information and the documentary evidence that that authority deems necessary in order for it to determine whether a certificate should be issued.

Any omission of information from the application must be justified.

3. Where an application is made for a certificate relating to specimens for which an application has previously been rejected, the applicant shall inform the management authority of that fact.

*Article 44m***Documents to be surrendered by the holder to the customs office**

In the case of the introduction into the Union, export or re-export of a specimen covered by a musical instrument certificate issued in accordance with Article 44j, the holder of the certificate shall, for verification purposes, surrender the original of that certificate and the original and a copy of the continuation sheet to a customs office designated in accordance with Article 12(1) of Regulation (EC) No 338/97.

The customs office shall, after completing the continuation sheet, return the original documents to the holder, endorse the copy of the continuation sheet and forward the endorsed copy to the relevant management authority in accordance with Article 45.

Article 44n

Sales of specimens covered

Where the holder of a musical instrument certificate issued in accordance with Article 44j of this Regulation wishes to sell the specimen, he shall first surrender the certificate to the issuing management authority and, where the specimen belongs to a species listed in Annex A to Regulation (EC) No 338/97, shall apply to the competent authority for a certificate in accordance with Article 8(3) of that Regulation.

Article 44o

Replacement

A musical instrument certificate that has been lost, stolen or destroyed may be replaced only by the authority which issued it.

The replacement shall bear the same number, if possible, and the same date of validity as the original document, and shall include, in box 23, one of the following statements:

“This certificate is a true copy of the original.”, or “This certificate cancels and replaces the original bearing the number xxxx issued on xx/xx/xxxx.”

Article 44p

Introduction of musical instruments into the Union with certificates issued by third countries

The introduction into the Union of a musical instrument shall not require the presentation of an export document or an import permit provided that it is covered by a musical instrument certificate issued by a third country under similar conditions to those set out in Articles 44h and 44j. Re-export of that musical instrument shall not require the presentation of a re-export certificate.’

(9) Article 56 is amended as follows:

(a) in paragraph 1, the second subparagraph is replaced by the following:

‘For the purposes of point (a), controlled conditions refers to a non-natural environment that is intensively manipulated by human intervention, which may include but is not limited to tillage, fertilisation, weed control, irrigation, or nursery operations such as potting, bedding and protecting from weather. For agarwood producing taxa, which are grown from seeds, cuttings, grafting, marcoting-air-layering, divisions, callus tissues or other plant tissues, spores or other propagules ‘under controlled conditions’ refers to a tree plantation, including other non-natural environment that is manipulated by human intervention for the purpose of producing plants or plant’s parts and derivatives.’;

(b) the following paragraph 3 is added:

‘3. Trees of agarwood producing taxa grown in cultivation such as:

(a) gardens (home and/or community garden);

(b) state, private or community production plantation, either monospecific or mixed species,

shall be considered to be artificially propagated in accordance with paragraph 1.’.

(10) Article 57 is amended as follows:

(a) the following paragraph 3a is inserted:

‘3a. By way of derogation from paragraph 3, the first introduction into the Union of hunting trophies of specimens of species or populations listed in Annex B to Regulation (EC) No 338/97 and in Annex XIII to this Regulation shall be subject to Article 4 of Regulation (EC) No 338/97.’;

(b) in paragraph 5, the following point (g) is added:

‘(g) specimens of agarwood (*Aquilaria* spp. and *Gyrinops* spp.) — up to 1 kg woodchips, 24 ml oil, and two sets of beads or prayer beads (or two necklaces or bracelets) per person.’

(11) Article 58 is amended as follows:

(a) in paragraph 3, the following subparagraph is added:

‘The provisions in the previous subparagraph do not apply to re-export of rhino horn or elephant ivory contained in personal or household effects; for these specimens the presentation to customs of a re-export certificate shall be required.’;

(b) paragraphs 3a and 4 are replaced by the following:

‘3a. The re-export by a person not normally residing in the Union of personal or household effects acquired outside his/her State of usual residence, including personal hunting trophies, that are specimens of species listed in Annex A to Regulation (EC) No 338/97, shall be subject to the presentation to customs of a re-export certificate. The same requirement applies to the re-export as personal or household effects of rhino horn or elephant ivory from specimens from populations listed in Annex B to Regulation (EC) No 338/97.

4. By way of derogation from paragraphs 2 and 3, the export or re-export of the items listed in points (a) to (g) of Article 57(5) shall not require the presentation of a (re-)export document.’

(12) Article 58a is amended as follows:

(a) in paragraph 1, the introductory phrase is replaced by the following:

‘1. Commercial activities for specimens of species listed in Annex B to Regulation (EC) No 338/97 which are introduced into the Union in accordance with Article 7(3) of Regulation (EC) No 338/97 may be authorised by a management authority of a Member State only under the following conditions:’;

(b) paragraph 2 is replaced by the following:

‘2. Commercial activities shall be prohibited for specimens of species listed in Annex A to Regulation (EC) No 338/97 which were introduced into the Union in accordance with Article 7(3) of Regulation (EC) No 338/97, or for specimens of species listed in Appendix I to the Convention or in Annex C1 to Regulation (EEC) No 3626/82 and introduced into the Union as personal and household effects.’

(13) In Article 66(6), the following second subparagraph is added:

‘Caviar from different Acipenseriformes species shall not be mixed into a primary container, except in the case of pressed caviar (i.e. caviar composed of unfertilized eggs (roe) of one or more sturgeon or paddlefish species, remaining after the processing and preparation of higher quality caviar).’

(14) In Article 72, paragraph 3 is replaced by the following:

‘3. Member States may continue to issue import and export permits, re-export certificates, travelling exhibition and personal ownership certificates in the forms laid out in Annexes I, III and IV, import notifications in the form laid out in Annex II and EU certificates in the form laid out in Annex V to Implementing Regulation (EU) No 792/2012 for one year after the entry into force of Commission Implementing Regulation (EU) 2015/57 (*)

(*) Commission Implementing Regulation (EU) 2015/57 of 15 January 2015 amending Implementing Regulation (EU) No 792/2012 as regards the rules for the design of permits, certificates and other documents provided for in Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein and in Commission Regulation (EC) No 865/2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 (OJ L 10, 16.1.2015, p. 19).’

(15) The Annexes are amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 January 2015.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

The Annexes to Regulation (EC) No 865/2006 are amended as follows:

(1) Annex VIII is replaced by the following:

‘ANNEX VIII

Standard references for nomenclature to be used pursuant to Article 5(4) to indicate scientific names of species in permits and certificates

FAUNA

(a) **MAMMALIA**

WILSON, D. E. & REEDER, D. M. (ed.) (2005): Mammal Species of the World. A Taxonomic and Geographic Reference. Third edition, Vol. 1-2, xxxv + 2142 pp. Baltimore (John Hopkins University Press). [for all mammals — with the exception of the recognition of the following names for wild forms of species (in preference to names for domestic forms): *Bos gaurus*, *Bos mutus*, *Bubalus arnee*, *Equus africanus*, *Equus przewalskii*, *Ovis orientalis ophion*; and with the exception of the species mentioned below]

BEASLY, I., ROBERTSON, K. M. & ARNOLD, P. W. (2005): Description of a new dolphin, the Australian Snubfin Dolphin, *Orcaella heinsohni* sp. n. (Cetacea, Delphinidae). — Marine Mammal Science, 21(3): 365-400. [for *Orcaella heinsohni*]

BOUBLI, J. P., DA SILVA, M. N. F., AMADO, M. V., HRBEK, T., PONTUAL, F. B. & FARIAS, I. P. (2008): A taxonomic reassessment of *Cacajao melanocephalus* Humboldt (1811), with the description of two new species. — International Journal of Primatology, 29: 723-741. [for *Cacajao ayresi*, *C. hosomi*]

BRANDON-JONES, D., EUDEY, A. A., GEISSMANN, T., GROVES, C. P., MELNICK, D. J., MORALES J. C., SHEKELLE, M. & STEWARD, C.-B. (2004): Asian primate classification. — International Journal of Primatology, 25: 97-163. [for *Trachypithecus villosus*]

CABALLERO, S., TRUJILLO, F., VIANNA, J. A., BARRIOS-GARRIDO, H., MONTEIL, M. G., BELTRÁN-PEDREROS, S., MARMONTEL, M., SANTOS, M. C., ROSSI-SANTOS, M. R. & BAKER, C. S. (2007). Taxonomic status of the genus *Sotalia*: species level ranking for ‘tucuxi’ (*Sotalia fluviatilis*) and ‘costero’ (*Sotalia guianensis*) dolphins. Marine Mammal Science 23: 358-386 [for *Sotalia fluviatilis* and *Sotalia guianensis*]

DAVENPORT, T. R. B., STANLEY, W. T., SARGIS, E. J., DE LUCA, D. W., MPUNGA, N. E., MACHAGA, S. J. & OLSON, L. E. (2006): A new genus of African monkey, *Rungwecebus*: Morphology, ecology, and molecular phylogenetics. — Science, 312: 1378-1381. [for *Rungwecebus kipunji*]

DEFLER, T. R. & BUENO, M. L. (2007): Aotus diversity and the species problem. — Primate Conservation, 22: 55-70. [for *Aotus jorgehernandezii*]

DEFLER, T. R., BUENO, M. L. & GARCÍA, J. (2010): *Callicebus caquetensis*: a new and Critically Endangered titi monkey from southern Caquetá, Colombia. — Primate Conservation, 25: 1-9. [for *Callicebus caquetensis*]

FERRARI, S. F., SENA, L., SCHNEIDER, M. P. C. & JÚNIOR, J. S. S. (2010): Rondon’s Marmoset, *Mico rondoni* sp. n., from southwestern Brazilian Amazonia. — International Journal of Primatology, 31: 693-714. [for *Mico rondoni*]

GEISMANN, T., LWIN, N., AUNG, S. S., AUNG, T. N., AUNG, Z. M., HLA, T. H., GRINDLEY, M. & MOMBERG, F. (2011): A new species of snub-nosed monkey, genus *Rhinopithecus* Milne-Edwards, 1872 (Primates, Colobinae), from Northern Kachin State, Northeastern Myanmar. — Amer. J. Primatology, 73: 96-107. [for *Rhinopithecus strykeri*]

MERKER, S. & GROVES, C. P. (2006): *Tarsius lariang*: A new primate species from Western Central Sulawesi. — International Journal of Primatology, 27(2): 465-485. [for *Tarsius lariang*]

OLIVEIRA, M. M. DE & LANGGUTH, A. (2006): Rediscovery of Marcgrave’s Capuchin Monkey and designation of a neotype for *Simia flava* Schreber, 1774 (Primates, Cebidae). — Boletim do Museu Nacional do Rio de Janeiro, N.S., Zoologia, 523: 1-16. [for *Cebus flavus*]

RICE, D. W., (1998): Marine Mammals of the World: Systematics and Distribution, Society of Marine Mammalogy Special Publication Number 4, The Society for Marine Mammalogy, Lawrence, Kansas [for *Physeter macrocephalus* and *Platanista gangetica*]

SHEKELLE, M., GROVES, C., MERKER, S. & SUPRIATNA, J. (2010): *Tarsius tumpara*: A new tarsier species from Siau Island, North Sulawesi. — *Primate Conservation*, 23: 55-64. [for *Tarsius tumpara*]

SINHA, A., DATTA, A., MADHUSUDAN, M. D. & MISHRA, C. (2005): *Macaca munzala*: A new species from western Arunachal Pradesh, northeastern India. — *International Journal of Primatology*, 26(4): 977-989: doi:10.1007/s10764-005-5333-3. [for *Macaca munzala*]

VAN NGOC THINH, MOOTNICK, A. R., VU NGOC THANH, NADLER, T. & ROOS, C. (2010): A new species of crested gibbon from the central Annamite mountain range. *Vietnamese Journal of Primatology*, 4: 1-12. [for *Nomascus annamensis*]

WADA, S., OISHI, M. & YAMADA, T. K. (2003): A newly discovered species of living baleen whales. — *Nature*, 426: 278-281. [for *Balaenoptera omurai*]

WALLACE, R. B., GÓMEZ, H., FELTON, A. & FELTON, A. (2006): On a new species of titi monkey, genus *Callicebus* Thomas (Primates, Pitheciidae), from western Bolivia with preliminary notes on distribution and abundance. — *Primate Conservation*, 20: 29-39. [for *Callicebus aureipalatii*]

WILSON, D. E. & REEDER, D. M. (1993): *Mammal Species of the World: a Taxonomic and Geographic Reference*. Second edition. xviii + 1207 pp., Washington (Smithsonian Institution Press). [for *Loxodonta africana*, *Puma concolor*, *Lama guanicoe* and *Ovis vignei*]

(b) **AVES**

MORONY, J. J., BOCK, W. J. & FARRAND, J., Jr. (1975): Reference List of the Birds of the World. American Museum of Natural History. 207 pp. [for order- and family-level names for birds]

DICKINSON, E.C. (ed.) (2003): *The Howard and Moore Complete Checklist of the Birds of the World*. Revised and enlarged 3rd Edition. 1039 pp. London (Christopher Helm). [for all bird species — except for the taxa mentioned below and for *Lophura imperialis*, specimens of which should be treated as specimens of *L. edwardsi*]

DICKINSON, E.C. (2005): Corrigenda 4 (02.06.2005) to Howard & Moore Edition 3 (2003). http://www.naturalis.nl/sites/naturalis.nl/contents/i000764/corrigenda%204_final.pdf (available on the CITES website) [together with DICKINSON 2003 for all bird species — except for the taxa mentioned below]

ARNDT, T. (2008): Anmerkungen zu einigen *Pyrrhura*-Formen mit der Beschreibung einer neuen Art und zweier neuer Unterarten. — *Papageien*, 8: 278-286. [for *Pyrrhura parvifrons*]

COLLAR, N. J. (1997) Family Psittacidae (Parrots). In DEL HOYO, J., ELLIOT, A. AND SARGATAL, J. (eds.), *Handbook of the Birds of the World*, 4 (Sandgrouse to Cuckoos): 280-477. Barcelona (Lynx Edicions). [for *Psittacula intermedia* and *Trichoglossus haematodus*]

COLLAR, N. J. (2006): A partial revision of the Asian babblers (Timaliidae). — *Forktail*, 22: 85-112. [for *Garrulax taewanus*]

CORTÉS-DIAGO, A., ORTEGA, L. A., MAZARIEGOS-HURTADO, L. & WELLER, A.-A. (2007): A new species of *Eriocnemis* (Trochilidae) from southwest Colombia. — *Ornitologia Neotropical*, 18: 161-170. [for *Eriocnemis isabellae*]

DA SILVA, J. M. C., COELHO, G. & GONZAGA, P. (2002): Discovered on the brink of extinction: a new species of pygmy owl (Strigidae: *Glaucidium*) from Atlantic forest of northeastern Brazil. — *Ararajuba*, 10(2): 123-130. [for *Glaucidium mooreorum*]

GABAN-LIMA, R., RAPOSO, M. A. & HOFLING, E. (2002): Description of a new species of *Pionopsitta* (Aves: Psittacidae) endemic to Brazil. — *Auk*, 119: 815-819. [for *Pionopsitta aurantiocephala*]

INDRAWAN, M. & SOMADIKARTA, S. (2004): A new hawk-owl from the Togian Islands, Gulf of Tomini, central Sulawesi, Indonesia. — *Bulletin of the British Ornithologists' Club*, 124: 160-171. [for *Ninox burhani*]

NEMESIO, A. & RASMUSSEN, C. (2009): The rediscovery of Buffon's 'Guarouba' or 'Perriche jaune': two senior synonyms of *Aratinga pintoii* SILVEIRA, LIMA & HÖFLING, 2005 (Aves: Psittaciformes). — *Zootaxa*, 2013: 1-16. [for *Aratinga maculata*]

OLMOS, F., SILVA, W. A. G. & ALBANO, C. (2005): Grey-breasted Conure *Pyrrhura griseipectus*, an overlooked endangered species. — *Cotinga*, 24: 77-83. [for *Pyrrhura griseipectus*]

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TILBURY, C. R. & TOLLEY, K. A. (2009b): A re-appraisal of the systematics of the African genus *Chamaeleo* (Reptilia: Chamaeleonidae). — *Zootaxa*, 2079: 57-68. [for *Trioceros*]

TILBURY, C. R., TOLLEY, K. A. & BRANCH, R. B. (2007): Corrections to species names recently placed in *Kinyongia* and *Nadzikambia* (Reptilia: Chamaeleonidae). — *Zootaxa*, 1426: 68. [for correct spelling of *Kinyongia uluguruensis*, *Nadzikambia mlanjensis*]

TILBURY, C. R., TOLLEY, K. A. & BRANCH, W. R. (2006): A review of the systematics of the genus *Bradypodion* (Sauria: Chamaeleonidae), with the description of two new genera. — *Zootaxa*, 1363: 23-38. [for *Kinyongia adolffriderici*, *Kinyongia carpenteri*, *Kinyongia excubitor*, *Kinyongia fischeri*, *Kinyongia matschiei*, *Kinyongia multituberculata*, *Kinyongia oxyrhina*, *Kinyongia tavetana*, *Kinyongia tenuis*, *Kinyongia ulugurensis*, *Kinyongia uthmoelleri*, *Kinyongia xenorhina*, *Nadzikambia mlanjense*]

TOLLEY, K. A., TILBURY, C. R., BRANCH, W. R. & MATHEE, C. A. (2004): Phylogenetics of the southern African dwarf chameleons, *Bradypodion* (Squamata: Chamaeleonidae). — *Molecular Phylogen. Evol.*, 30: 351-365. [for *Bradypodion caffrum*, *Bradypodion damaranum*, *Bradypodion gutturale*, *Bradypodion occidentale*, *Bradypodion taenio-bronchum*, *Bradypodion transvaalense*, *Bradypodion ventrale*]

TOWNSEND, T. M., TOLLEY, K. A., GLAW, F., BÖHME, W. & VENCES, M. (2010): Eastward from Africa: paleocurrent-mediated chameleon dispersal to the Seychelles Islands. — *Biol. Lett.*, published online 8 September 2010, doi: 10.1098/rsbl.2010.0701 [for *Archaius tigris*]

TUCKER, A. D. (2010): The correct name to be applied to the Australian freshwater crocodile, *Crocodylus johnstoni* [Krefft, 1873]. — *Australian Zoologist*, 35(2): 432-434. [for *Crocodylus johnstoni*]

ULLENBRUCH, K., KRAUSE, P. & BÖHME, W. (2007): A new species of the *Chamaeleo dilepis* group (Sauria Chamaeleonidae) from West Africa. — *Tropical Zool.*, 20: 1-17. [for *Chamaeleo necasi*]

WALBRÖL, U. & WALBRÖL, H. D. (2004): Bemerkungen zur Nomenklatur der Gattung *Calumma* (Gray, 1865) (Reptilia: Squamata: Chamaeleonidae). — *Sauria*, 26 (3): 41-44. [for *Calumma andringitraense*, *Calumma marojezense*, *Calumma tsaratananense*]

WERMUTH, H. & MERTENS, R. (1996) (reprint): Schildkröte, Krokodile, Brückenechsen. xvii + 506 pp. Jena (Gustav Fischer Verlag). [for Testudines order names, Crocodylia and Rhynchocephalia]

WILMS, T. M., BÖHME, W., WAGNER, P., LUTZMANN, N. & SCHMITZ, A. (2009): On the phylogeny and taxonomy of the genus *Uromastyx* Merrem, 1820 (Reptilia: Squamata: Agamidae: Uromastycinae) — resurrection of the genus *Saara* Gray, 1845. — *Bonner zool. Beiträge*, 56(1-2): 55-99. [for *Uromastyx*, *Saara*]

WÜSTER, W. (1996): Taxonomic change and toxinology: systematic revisions of the Asiatic cobras (*Naja naja* species complex) — *Toxicon*, 34: 339-406. [for *Naja atra*, *Naja kaouthia*, *Naja oxiana*, *Naja philippinensis*, *Naja sagittifera*, *Naja samarensis*, *Naja siamensis*, *Naja sputatrix* and *Naja sumatrana*]

ZUG, G.R., GROTTÉ, S. W. & JACOBS, J. F. (2011): Pythons in Burma: Short-tailed python (Reptilia: Squamata). — *Proc. biol. Soc. Washington*, 124(2): 112-136. [for *Python kyaiktiyo*]

(d) **AMPHIBIA**

Taxonomic Checklist of CITES-listed Amphibians, information extracted from FROST, D. R. (ed.) (2011), Amphibian Species of the World: a taxonomic and geographic reference, an online reference (<http://research.amnh.org/herpetology/amphibia/index.html>) Version 5.5 as of December 2011

in combination with BROWN, J. L., TWOMEY, E., AMÉZQUITA, A., BARBOSA DE SOUZA, M., CALDWELL, L. P., LÖTTERS, S., VON MAY, R., MELO-SAMPAIO, P. R., MEJÍA-VARGAS, D., PEREZ-PEÑA, P., PEPPER, M., POELMAN, E. H., SANCHEZ-RODRIGUEZ, M. & SUMMERS, K. (2011): A taxonomic revision of the Neotropical poison frog genus *Ranitomeya* (Amphibia: Dendrobatidae). — *Zootaxa*, 3083: 1-120. [for all Amphibian species]

Taxonomic Checklist of Amphibian Species listed unilaterally in the Annexes of Regulation (EC) No 338/97, not included in the CITES Appendices, species information extracted from FROST, D. R. (2013), Amphibian Species of the World, an online Reference V. 5.6 (9 January 2013)

(e) **ELASMOBRANCHII, ACTINOPTERYGII AND SARCOPTERYGII**

Taxonomic Checklist of all CITES listed Shark and Fish species (Elasmobranchii and Actinopterygii, except the genus *Hippocampus*), information extracted from ESCHMEYER, W.N. & FRICKE, R. (eds.): Catalog of Fishes, an online reference (<http://research.calacademy.org/redirect?url=http://researcharchive.calacademy.org/research/Ichthyology/catalog/fishcatmain.asp>), version downloaded 30 November 2011. [for all shark and fish species, except the genus *Hippocampus*]

FOSTER, R. & GOMON, M. F. (2010): A new seahorse (Teleostei: Syngnathidae: *Hippocampus*) from south-western Australia. — *Zootaxa*, 2613: 61-68. [for *Hippocampus paradoxus*]

GOMON, M. F. & KUITER, R. H. (2009): Two new pygmy seahorses (Teleostei: Syngnathidae: *Hippocampus*) from the Indo-West Pacific. — *Aqua, Int. J. of Ichthyology*, 15(1): 37-44. [for *Hippocampus debelius*, *Hippocampus waleanus*]

HORNE, M. L. (2001): A new seahorse species (Syngnathidae: *Hippocampus*) from the Great Barrier Reef — *Records of the Australian Museum*, 53: 243-246. [for *Hippocampus*]

KUITER, R. H. (2001): Revision of the Australian seahorses of the genus *Hippocampus* (Syngnathiformes: Syngnathidae) with a description of nine new species — *Records of the Australian Museum*, 53: 293-340. [for *Hippocampus*]

KUITER, R. H. (2003): A new pygmy seahorse (Pisces: Syngnathidae: *Hippocampus*) from Lord Howe Island — *Records of the Australian Museum*, 55: 113-116. [for *Hippocampus*]

LOURIE, S. A. & RANDALL, J. E. (2003): A new pygmy seahorse, *Hippocampus denise* (Teleostei: Syngnathidae), from the Indo-Pacific — *Zoological Studies*, 42: 284-291. [for *Hippocampus*]

LOURIE, S. A., VINCENT, A. C. J. & HALL, H. J. (1999): Seahorses. An identification guide to the world's species and their conservation. Project Seahorse (ISBN 0 9534693 0 1) (Second edition available on CD-ROM). [for *Hippocampus*]

LOURIE, S. A. & KUITER, R. H. (2008): Three new pygmy seahorse species from Indonesia (Teleostei: Syngnathidae: *Hippocampus*). — *Zootaxa*, 1963: 54-68. [for *Hippocampus pontohi*, *Hippocampus satomiae*, *Hippocampus severnsi*]

PIACENTINO, G. L. M. AND LUZZATTO, D. C. (2004): *Hippocampus patagonicus* sp. nov., new seahorse from Argentina (Pisces, Syngnathiformes). — *Revista del Museo Argentino de Ciencias Naturales*, 6(2): 339-349. [for *Hippocampus patagonicus*]

RANDALL, J. & LOURIE, S. A. (2009): *Hippocampus tyro*, a new seahorse (Gasterosteiformes: Syngnathidae) from the Seychelles. — *Smithiana Bulletin*, 10: 19-21. [for *Hippocampus tyro*]

(f) **ARACHNIDA**

LOURENÇO, W. R. & CLOUDSLEY-THOMPSON, J. C. (1996): Recognition and distribution of the scorpions of the genus *Pandinus* Thorell, 1876 accorded protection by the Washington Convention — *Biogeographica*, 72(3): 133-143. [for scorpions of the genus *Pandinus*]

RUDLOFF, J.-P. (2008): Eine neue *Brachypelma*-Art aus Mexiko (Araneae: Mygalomorphae: Theraphosidae: Theraphosinae). — *Arthropoda*, 16(2): 26-30. [for *Brachypelma kahlenbergi*]

Taxonomic Checklist of CITES listed Spider Species, information extracted from PLATNICK, N. (2006), *The World Spider Catalog*, an online reference, Version 6.5 as of 7 April 2006 [for *Theraphosidae*]

(g) **INSECTA**

BARTOLOZZI, L. (2005): Description of two new stag beetle species from South Africa (Coleoptera: Lucanidae). — *African Entomology*, 13(2): 347-352. [for *Colophon endroedyi*]

MATSUKA, H. (2001): *Natural History of Birdwing Butterflies*. 367 pp. Tokyo (Matsuka Shuppan). (ISBN 4-9900697-0-6). [for birdwing butterflies of the genera *Ornithoptera*, *Trogonoptera* and *Troides*]

(h) **HIRUDINOIDEA**

NESEMANN, H. & NEUBERT, E. (1999): Annelida: Clitellata: Branchiobdellida, Acanthobdellea, Hirudinea. — *Süßwasserfauna von Mitteleuropa*, vol. 6/2, 178 pp., Berlin (Spektrum Akad. Verlag). ISBN 3-8274-0927-6. [for *Hirudo medicinalis* and *Hirudo verbana*]

(i) **ANTHOZOA AND HYDROZOA**

Taxonomic Checklist of all CITES listed Coral Species, based on information compiled by UNEPWCMC 2012.

FLORA

The Plant-Book, second edition, [D. J. Mabberley, 1997, Cambridge University Press (reprinted with corrections 1998)] for the generic names of all plants listed in the Appendices of the Convention, unless they are superseded by standard checklists adopted by the Conference of the Parties).

A Dictionary of Flowering Plants and Ferns, 8th edition, (J. C. Willis, revised by H. K. Airy Shaw, 1973, Cambridge University Press) for generic synonyms not mentioned in *The Plant-Book*, unless they are superseded by standard checklists adopted by the Conference of the Parties as referenced below.

The World List of Cycads (D. W. Stevenson, R. Osborne and K. D. Hill, 1995; In: P. Vorster (Ed.), *Proceedings of the Third International Conference on Cycad Biology*, pp. 55-64, Cycad Society of South Africa, Stellenbosch), as a guideline when making reference to names of species of Cycadaceae, Stangeriaceae and Zamiaceae.

CITES Bulb Checklist (A. P. Davis et al., 1999, compiled by the Royal Botanic Gardens, Kew, United Kingdom of Great Britain and Northern Ireland) as a guideline when making reference to the names of species of *Cyclamen* (Primulaceae) and *Galanthus* and *Sternbergia* (Liliaceae).

CITES Cactaceae Checklist, second edition, (1999, compiled by D. Hunt, Royal Botanic Gardens, Kew, United Kingdom of Great Britain and Northern Ireland) as a guideline when making reference to names of species of Cactaceae.

CITES Carnivorous Plant Checklist, (B. von Arx et al., 2001, Royal Botanic Gardens, Kew, United Kingdom of Great Britain and Northern Ireland) as a guideline when making reference to names of species of *Dionaea*, *Nepenthes* and *Sarracenia*.

CITES Aloe and Pachypodium Checklist (U. Eggli et al., 2001, compiled by Städtische Sukkulenten-Sammlung, Zurich, Switzerland, in collaboration with the Royal Botanic Gardens, Kew, United Kingdom of Great Britain and Northern Ireland) and its update: *An Update and Supplement to the CITES Aloe & Pachypodium Checklist* [J. M. Lüthy (2007), CITES Management Authority of Switzerland, Bern, Switzerland] as a guideline when making reference to the names of species of *Aloe* and *Pachypodium*.

World Checklist and Bibliography of Conifers (A. Farjon, 2001) as a guideline when making reference to the names of species of *Taxus*.

CITES Orchid Checklist, (compiled by the Royal Botanic Gardens, Kew, United Kingdom) as a guideline when making reference to the names of species of *Cattleya*, *Cypripedium*, *Laelia*, *Paphiopedilum*, *Phalaenopsis*, *Phragmipedium*, *Pleione* and *Sophranitis* (Volume 1, 1995) and *Cymbidium*, *Dendrobium*, *Disa*, *Dracula* and *Encyclia* (Volume 2, 1997), and *Aerangis*, *Angraecum*, *Ascocentrum*, *Bletilla*, *Brassavola*, *Calanthe*, *Catasetum*, *Miltonia*, *Miltonioides* and *Miltoniopsis*, *Renanthera*, *Renantherella*, *Rhynchostylis*, *Rossioglossum*, *Vanda* and *Vandopsis* (Volume 3, 2001); and *Aerides*, *Coelogyne*, *Comparettia* and *Masdevallia* (Volume 4, 2006).

The CITES Checklist of Succulent Euphorbia Taxa (Euphorbiaceae), Second edition (S. Carter and U. Egli, 2003, published by the Federal Agency for Nature Conservation, Bonn, Germany) as a guideline when making reference to the names of species of succulent euphorbias.

Dicksonia species of the Americas (2003, compiled by Bonn Botanic Garden and the Federal Agency for Nature Conservation, Bonn, Germany) as a guideline when making reference to the names of species of *Dicksonia*.

Plants of Southern Africa: an annotated checklist. Germishuizen, G. & Meyer N. L. (eds.) (2003). *Strelitzia* 14: 150-151. National Botanical Institute, Pretoria, South Africa as a guideline when making reference to the names of species of *Hoodia*.

Lista de especies, nomenclatura y distribución en el genero Guaiacum. Davila Aranda. P. & Schippmann, U. (2006): *Medicinal Plant Conservation* 12:50 as a guideline when making reference to the names of species of *Guaiacum*.

CITES checklist for Bulbophyllum and allied taxa (Orchidaceae). Sieder, A., Rainer, H., Kiehn, M. (2007): Address of the authors: Department of Biogeography and Botanical Garden of the University of Vienna; Rennweg 14, A-1030 Vienna (Austria) as a guideline when making reference to the names of species of *Bulbophyllum*.

The Checklist of CITES species (2005, 2007 and its updates) published by UNEP — WCMC may be used as an informal overview of the scientific names that were adopted by the Conference of the Parties for the animal species that are listed in the Annexes to Regulation (EC) No 338/97, and as an informal summary of information contained in the standard references that were adopted for CITES nomenclature.

(2) Annex IX is amended as follows:

(a) in point 1 of Annex IX, the entry 'Q Circuses and travelling exhibitions' is replaced by 'Q Travelling exhibitions (sample collection, circus, menagerie, plant exhibition, orchestra or museums exhibition that is used for commercial display for the public)';

(b) in point 2 of Annex IX, the following row is added:

'X		Specimens taken in the marine environment not under the jurisdiction of any State'.
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(3) In Annex X, the entry '*Lophophorus impejanus*' is replaced by '*Lophophorus impejanus*'.

(4) The following Annex XIII is added:

'ANNEX XIII

SPECIES AND POPULATIONS REFERRED TO IN ARTICLE 57(3a)

Ceratotherium simum simum

Hippopotamus amphibius

Loxodonta africana

Ovis ammon

Panthera leo

Ursus maritimus'.

COMMISSION IMPLEMENTING REGULATION (EU) 2015/57**of 15 January 2015****amending Implementing Regulation (EU) No 792/2012 as regards the rules for the design of permits, certificates and other documents provided for in Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein and in Commission Regulation (EC) No 865/2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein ⁽¹⁾, and in particular Article 19(1) thereof,

Whereas:

- (1) In order to implement certain Resolutions adopted at the sixteenth meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (3-14 March 2013), hereinafter 'the Convention', certain provisions should be amended and further provisions should be added to Commission Implementing Regulation (EU) No 792/2012 ⁽²⁾.
- (2) In particular, in line with CITES Resolution Conf. 16.8, provisions should be inserted to allow for the issuing of specific certificates for musical instruments in order to simplify their non-commercial cross-border movements, and, in line with CITES Resolution Conf. 14.6, a new source code X should be established for 'specimens taken in the marine environment not under the jurisdiction of any State'.
- (3) Implementing Regulation (EU) No 792/2012 should be amended accordingly.
- (4) As this Regulation should be used in conjunction with Regulation (EC) No 865/2006, it is important that both Regulations apply as of the same day.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Trade in Wild Fauna and Flora,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) No 792/2012 is amended as follows:

(1) Article 1 is amended as follows:

(a) the following point 5a is inserted:

'(5a) musical instrument certificates;';

(b) point 8 is replaced by the following:

'(8) continuation sheets for personal ownership certificates, for travelling exhibition certificates and for musical instrument certificates;';

⁽¹⁾ OJ L 61, 3.3.1997, p. 1.⁽²⁾ Commission Regulation (EU) No 792/2012 of 23 August 2012 laying down rules for the design of permits, certificates and other documents provided for in Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein and amending Commission Regulation (EC) No 865/2006 (OJ L 242, 7.9.2012, p. 13).

(2) in Article 2, paragraph 1 is replaced by the following:

‘1. The forms on which import permits, export permits, re-export certificates, personal ownership certificates, sample collection certificates and musical instrument certificates and applications for such documents are drawn up shall conform, except as regards spaces reserved for national use, to the model set out in Annex I.’;

(3) the Annexes are amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 January 2015.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

The Annexes to Implementing Regulation (EU) No 792/2012 are amended as follows:

(1) Annex I is amended as follows:

(a) the 'Instructions and explanations' referring to '1 — Original' are amended as follows,

(i) points 1.2 and 3 are replaced by the following:

- '1. Full name and address of the actual (re-)exporter, not of an agent. In the case of a personal ownership certificate or of a musical instrument certificate, the full name and address of the legal owner. In the case of a musical instrument certificate, if the applicant is different from the legal owner, the full name and address of both the owner and of the applicant should be included in the form and a copy of a loan agreement between owner and applicant should be provided to the relevant permit issuing authority.;
2. The period of validity of an export permit or re-export certificate shall not exceed six months and of an import permit 12 months. The period of validity of a personal ownership certificate and of a musical instrument certificate shall not exceed three years. After its last day of validity, this document is void and the original and all copies must be returned by the holder to the issuing management authority without undue delay. An import permit is not valid where the corresponding CITES document from the (re-)exporting country was used for (re-)export after its last day of validity or if the date of introduction into the Union is more than six months from its date of issue.;
3. Full name and address of the actual importer, not of an agent. To be left blank in the case of a personal ownership certificate or of a musical instrument certificate.;

(ii) point 5 is replaced by the following:

- '5. To be left blank in the case of a personal ownership certificate or of a musical instrument certificate.;

(iii) point 8 is replaced by the following:

- '8. Description must be as precise as possible and include a three-letter code in accordance with Annex VII to Regulation (EC) No 865/2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein. In the case of a musical instrument certificate, the description of the instrument should allow the competent authority to verify that the certificate corresponds to the specimen being imported or exported, and the description should include elements such as the manufacturer's name, the serial number or other means of identification such as photographs.;

(iv) in point 13, the following row is added:

'X		Specimens taken in the marine environment not under the jurisdiction of any State.;
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(v) in point 14, the entry 'Q Circuses and travelling exhibitions' is replaced by 'Q Travelling exhibitions (sample collection, circus, menagerie, plant exhibition, orchestra or museums exhibition that is used for commercial display for the public)';

(b) the 'Instructions and explanations' referring to '2 — Copy for the holder', are amended as follows:

(i) points 1, 2 and 3 are replaced by the following:

- '1. Full name and address of the actual (re-)exporter, not of an agent. In the case of a personal ownership certificate or of a musical instrument certificate, the full name and address of the legal owner. In the case of a musical instrument certificate, if the applicant is different from the legal owner, the full name and address of both the owner and of the applicant should be included in the form and a copy of a loan agreement between owner and applicant should be provided to the relevant permit issuing authority.
2. The period of validity of an export permit or re-export certificate shall not exceed six months and of an import permit 12 months. The period of validity of a personal ownership certificate and of a musical instrument certificate shall not exceed three years. After its last day of validity, this document is void and the original and all copies must be returned by the holder to the issuing management authority without

undue delay. An import permit is not valid where the corresponding CITES document from the (re-)exporting country was used for (re-)export after its last day of validity or if the date of introduction into the Union is more than six months from its date of issue.;

3. Full name and address of the actual importer, not of an agent. To be left blank in the case of a personal ownership certificate or of a musical instrument certificate.;

(ii) point 5 is replaced by the following:

'5. To be left blank in the case of a personal ownership certificate or of a musical instrument certificate.;

(iii) point 8 is replaced by the following:

'8. Description must be as precise as possible and include a three-letter code in accordance with Annex VII to Regulation (EC) No 865/2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein. In the case of a musical instrument certificate, the description of the instrument should allow the competent authority to verify that the certificate corresponds to the specimen being imported or exported, and the description should include elements such as the manufacturer's name, the serial number or other means of identification such as photographs.;

(iv) in point 13, the following row is added:

'X		Specimens taken in the marine environment not under the jurisdiction of any State';
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(v) in point 14, the entry 'Q Circuses and travelling exhibitions' is replaced by 'Q Travelling exhibitions (sample collection, circus, menagerie, plant exhibition, orchestra or museums exhibition that is used for commercial display for the public)';

(c) the 'Instructions and explanations' referring to '3 — Copy for return by customs to the issuing authority' are amended as follows:

(i) points 1, 2 and 3 are replaced by the following:

'1. Full name and address of the actual (re-)exporter, not of an agent. In the case of a personal ownership certificate or of a musical instrument certificate, the full name and address of the legal owner. In the case of a musical instrument certificate, if the applicant is different from the legal owner, the full name and address of both the owner and of the applicant should be included in the form and a copy of a loan agreement between owner and applicant should be provided to the relevant permit issuing authority.

2. The period of validity of an export permit or re-export certificate shall not exceed six months and of an import permit 12 months. The period of validity of a personal ownership certificate and of a musical instrument certificate shall not exceed three years. After its last day of validity, this document is void and the original and all copies must be returned by the holder to the issuing management authority without undue delay. An import permit is not valid where the corresponding CITES document from the (re-)exporting country was used for (re-)export after its last day of validity or if the date of introduction into the Union is more than six months from its date of issue.

3. Full name and address of the actual importer, not of an agent. To be left blank in the case of a personal ownership certificate or of a musical instrument certificate.;

(ii) point 5 is replaced by the following:

'5. To be left blank in the case of a personal ownership certificate or of a musical instrument certificate.;

(iii) point 8 is replaced by the following:

'8. Description must be as precise as possible and include a three-letter code in accordance with Annex VII to Regulation (EC) No 865/2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein. In the case of a musical instrument certificate, the description of the instrument should allow the competent authority to verify that the certificate corresponds to the specimen being imported or exported, and the description should include elements such as the manufacturer's name, the serial number or other means of identification such as photographs.;

(iv) in point 13, the following row is added:

‘X		Specimens taken in the marine environment not under the jurisdiction of any State’;
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(v) in point 14, the entry ‘Q Circuses and travelling exhibitions’ is replaced by ‘Q Travelling exhibitions (sample collection, circus, menagerie, plant exhibition, orchestra or museums exhibition that is used for commercial display for the public)’;

(d) the ‘Instructions and explanations’ referring to ‘5 — Application’, are amended as follows:

(i) point 1 is replaced by the following:

‘1. Full name and address of the actual (re-)exporter, not of an agent. In the case of a personal ownership certificate or of a musical instrument certificate, the full name and address of the legal owner. In the case of a musical instrument certificate, if the applicant is different from the legal owner, the full name and address of both the owner and of the applicant should be included in the form and a copy of a loan agreement between owner and applicant should be provided to the relevant permit issuing authority.’;

(ii) point 3 is replaced by the following:

‘3. Full name and address of the actual importer, not of an agent. To be left blank in the case of a personal ownership certificate or of a musical instrument certificate.’;

(iii) point 5 is replaced by the following:

‘5. To be left blank in the case of a personal ownership certificate or of a musical instrument certificate.’;

(iv) point 8 is replaced by the following:

‘8. Description must be as precise as possible and include a 3-letter code in accordance with Annex VII to Regulation (EC) No 865/2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein. In the case of a musical instrument certificate, the description of the instrument should allow the competent authority to verify that the certificate corresponds to the specimen being imported or exported, and the description should include elements such as the manufacturer’s name, the serial number or other means of identification such as photographs.’;

(v) in point 13, the following row is added:

‘X		Specimens taken in the marine environment not under the jurisdiction of any State’;
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(vi) in point 14, the entry ‘Q Circuses and travelling exhibitions’ is replaced by ‘Q Travelling exhibitions (sample collection, circus, menagerie, plant exhibition, orchestra or museums exhibition that is used for commercial display for the public)’;

(2) Annex III is amended as follows:

(a) in the ‘Instructions and explanations’ referring to ‘Original’, the following row is added to point 14:

‘X		Specimens taken in the marine environment not under the jurisdiction of any State’;
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(b) in the ‘Instructions and explanations’ referring to ‘Application’, the following row is added to point 14:

‘X		Specimens taken in the marine environment not under the jurisdiction of any State’.
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(3) in Annex IV, the top right heading is replaced by the following:

‘TRAVELLING-EXHIBITION CERTIFICATE

PERSONAL OWNERSHIP CERTIFICATE

MUSICAL INSTRUMENT CERTIFICATE

CONTINUATION SHEET’;

(4) Annex V is amended as follows:

(a) in the 'Instructions and explanations' referring to '1 — Original', the following row is added to point 9:

'X		Specimens taken in the marine environment not under the jurisdiction of any State;
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(b) in the 'Instructions and explanations' referring to '3 — Application', the following row is added to point 9:

'X		Specimens taken in the marine environment not under the jurisdiction of any State'.
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COMMISSION IMPLEMENTING REGULATION (EU) 2015/58**of 15 January 2015****amending Implementing Regulation (EU) No 540/2011 as regards the expiry date of the approval of the active substance tepraloxydim****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular the first paragraph of Article 17 thereof,

Whereas:

- (1) For the active substance tepraloxydim, Commission Regulation (EU) No 1197/2012 ⁽²⁾ postponed the expiry of the approval period, as set out in Commission Implementing Regulation (EU) No 540/2011 ⁽³⁾ to 31 July 2017.
- (2) The sole applicant for the renewal of the approval of the active substance tepraloxydim informed the Commission and the rapporteur Member State of its choice not to further pursue the application for renewal.
- (3) Therefore it is appropriate to set the expiry date at the original date of expiry as set before the adoption of Regulation (EU) No 1197/2012.
- (4) Implementing Regulation (EU) No 540/2011 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

*Article 1***Amendment to Implementing Regulation (EU) No 540/2011**

In the sixth column, expiration of approval, of entry 100, tepraloxydim, of Part A of the Annex to Implementing Regulation (EU) No 540/2011, the date '31 July 2017' is replaced by '31 May 2015'.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) No 1197/2012 of 13 December 2012 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances acetamiprid, alpha-cypermethrin, *Ampelomyces quisqualis* Strain: AQ 10, benalaxyl, bifenazate, bromoxynil, chlorpropham, desmedipham, etoxazole, *Gliocladium catenulatum* Strain: J1446, imazosulfuron, laminarin, mepanipyrim, methoxyfenozide, milbemectin, phenmedipham, *Pseudomonas chlororaphis* Strain: MA 342, quinoxifen, S-metolachlor, tepraloxydim, thiacloprid, thiram and ziram (OJ L 342, 14.12.2012, p. 27).

⁽³⁾ Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

*Article 2***Entry into force**

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 January 2015.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2015/59**of 15 January 2015****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾,Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 January 2015.

*For the Commission,
On behalf of the President,
Jerzy PLEWA*

Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)			
CN code	Third country code (1)	Standard import value	
0702 00 00	AL	62,0	
	EG	232,2	
	IL	127,8	
	MA	106,4	
	TN	130,5	
	TR	139,9	
	ZZ	133,1	
0707 00 05	EG	241,9	
	MA	66,8	
	TR	168,4	
0709 91 00	ZZ	159,0	
	EG	119,3	
	ZZ	119,3	
0709 93 10	EG	191,6	
	MA	228,1	
	TR	172,2	
	ZZ	197,3	
0805 10 20	EG	47,6	
	MA	57,8	
	TR	63,8	
	ZA	97,5	
	ZZ	66,7	
0805 20 10	IL	146,7	
	MA	84,9	
	ZZ	115,8	
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	IL	100,7	
	JM	118,8	
	KR	153,2	
	MA	82,2	
	TR	103,3	
	ZZ	111,6	
	0805 50 10	TR	69,2
		ZZ	69,2
	0808 10 80	BR	65,3
CL		89,9	
US		151,5	
ZZ		102,2	

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0808 30 90	CN	92,1
	TR	108,4
	US	138,7
	ZZ	113,1

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COUNCIL AND COMMISSION DECISION (EU, Euratom) 2015/60

of 15 December 2014

on the position to be taken on behalf of the European Union and the European Atomic Energy Community within the Association Council established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part, as regards the adoption of decisions of the Association Council on the Rules of Procedure of the Association Council and those of the Association Committee and of Sub-Committees, the establishment of two Sub-Committees, and the delegation of certain powers by the Association Council to the Association Committee in Trade configuration

THE COUNCIL OF THE EUROPEAN UNION,

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217 in conjunction with Article 218(9) thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 101 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Article 486 of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part ⁽¹⁾ ('the Agreement'), provides for provisional application of the Agreement in part.
- (2) Article 4 of Council Decision 2014/295/EU ⁽²⁾ and Article 4 of Council Decision 2014/668/EU ⁽³⁾ specify which parts of the Agreement are or are to be applied provisionally.
- (3) Pursuant to Article 462(2) of the Agreement, the Association Council is to establish its own rules of procedure.
- (4) Pursuant to Article 462(3) of the Agreement, the Association Council is to be chaired in turn by a representative of the Union and a representative of Ukraine.
- (5) Pursuant to Article 464(1) of the Agreement, the Association Council is to be assisted in the performance of its duties by an Association Committee and, pursuant to Article 465(1) of the Agreement, the Association Council is to determine in its rules of procedure the duties and functioning of the Association Committee.

⁽¹⁾ OJ L 161, 29.5.2014, p. 3.

⁽²⁾ Council Decision 2014/295/EU of 17 March 2014 on the signing, on behalf of the European Union, and provisional application of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part, as regards the Preamble, Article 1, and Titles I, II and VII thereof (OJ L 161, 29.5.2014, p. 1).

⁽³⁾ Council Decision 2014/668/EU of 23 June 2014 on the signing, on behalf of the European Union, and provisional application of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part, as regards Title III (with the exception of the provisions relating to the treatment of third-country nationals legally employed as workers in the territory of the other Party) and Titles IV, V, VI and VII thereof, as well as the related Annexes and Protocols (OJ L 278, 20.9.2014, p. 1).

- (6) Pursuant to Article 466(2) of the Agreement, the Association Council may decide to set up any special committee or body in specific areas necessary for the implementation of the Agreement to assist the Association Council in carrying out its duties. Pursuant to Article 466(3) of the Agreement, the Association Committee may also create sub-committees.
- (7) Pursuant to Article 461(1) of the Agreement, the Association Council is responsible for supervising and monitoring the application and implementation of the Agreement. In accordance with Article 465(2) of the Agreement, the Association Council may delegate to the Association Committee any of its powers, including the power to take binding decisions. The Association Council should delegate the power to update or amend the Annexes to the Agreement which relate to Chapters 1 (Annexes I-C and I-D to the Agreement), 2 (Annex II to the Agreement) and 3, 5, 6 and 8 of Title IV (Trade and Trade-related Matters) of the Agreement, pursuant to Articles 463(3) and 465(2) of the Agreement, to the Association Committee in Trade configuration, as set out in Article 465(4) of the Agreement, to the extent that there are no specific provisions in those Chapters relating to the updating or the amendment of those Annexes.
- (8) In order to ensure the effective implementation of the Agreement, the Rules of Procedure of the Association Council and those of the Association Committee and of Sub-Committees should be adopted as soon as possible and it should be possible to adopt them by written procedure.
- (9) The position of the Union within the Association Council should therefore be based on the attached draft Decisions,

HAVE ADOPTED THIS DECISION:

Article 1

1. The position to be taken on behalf of the European Union and the European Atomic Energy Community within the Association Council established by Article 464 of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part, shall be based on the draft decisions of the Association Council attached to this Decision as regards:

- the adoption of the Rules of Procedure of the Association Council and those of the Association Committee and of Sub-Committees,
- the establishment of two Sub-Committees, and
- the delegation of certain powers by the Association Council to the Association Committee in Trade configuration, as set out in Article 465(2) of the Agreement.

2. Minor technical changes to the draft decisions of the Association Council may be agreed by the representatives of the Union in the Association Council without further decision of the Council of the European Union.

Article 2

The Association Council shall be chaired on the Union side by the High Representative of the Union for Foreign Affairs and Security Policy, in accordance with his or her responsibilities pursuant to the Treaties and his or her capacity as President of the Foreign Affairs Council.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 15 December 2014.

For the Council
The President
F. MOGHERINI

For the Commission
The President
J.-C. JUNCKER

DRAFT

DECISION No 1/2014 OF THE EU-UKRAINE ASSOCIATION COUNCIL

of ...

adopting its Rules of Procedure and those of the Association Committee and of Sub-Committees

THE EU-UKRAINE ASSOCIATION COUNCIL,

Having regard to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part ⁽¹⁾ ('the Agreement'), and in particular Article 462 thereof,

Whereas:

- (1) In accordance with Article 486 of the Agreement, parts of the Agreement have been applied provisionally as of 1 November 2014.
- (2) Pursuant to Article 462(2) of the Agreement, the Association Council is to establish its own rules of procedure.
- (3) Pursuant to Article 464(1) of the Agreement, the Association Council is to be assisted in the performance of its duties by an Association Committee whereas pursuant to Article 465(1) of the Agreement the Association Council is to determine in its rules of procedure the duties and functioning of the Association Committee,

HAS ADOPTED THIS DECISION:

Article 1

The Rules of Procedure of the Association Council and those of the Association Committee and of Sub-Committees, as set out in Annexes I and II respectively, are hereby adopted.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at ...,

*For the Association Council
The Chair*

⁽¹⁾ OJ L 161, 29.5.2014, p. 3.

ANNEX I

RULES OF PROCEDURE OF THE ASSOCIATION COUNCIL*Article 1***General provisions**

1. The Association Council established in accordance with Article 461(1) of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part ('the Agreement'), shall perform its duties as provided for in Articles 461 and 463 of the Agreement.
2. As provided for in Article 5(1) of the Agreement, the Parties shall hold regular political dialogue meetings at Summit level. In accordance with Article 5(2) of the Agreement, at ministerial level, political dialogue shall take place, by mutual agreement, within the Association Council referred to in Article 460 of the Agreement and within the framework of regular meetings between representatives of the Parties at Foreign Minister level.
3. As provided for in Article 462(1) of the Agreement, the Association Council shall be composed of members of the Council of the European Union and members of the European Commission, of the one part, and of members of the Government of Ukraine, of the other part. The composition of the Association Council shall take into consideration the specific issues to be addressed at any given meeting. The Association Council shall meet at ministerial level.
4. As provided for in Article 463(1) of the Agreement, and for the purpose of attaining the objectives thereof, the Association Council shall have the power to take decisions that are binding upon the Parties. The Association Council shall take appropriate measures for the implementation of its decisions, including, if necessary, by empowering specific bodies established under this Agreement to act on its behalf. The Association Council may also make recommendations. It shall adopt its decisions and recommendations by agreement between the Parties after the completion of the respective internal procedures for their adoption. The Association Council may delegate its powers to the Association Committee.
5. The Parties in these Rules of Procedure are those defined in Article 482 of the Agreement.

*Article 2***Chairmanship**

The Parties shall hold the chairmanship of the Association Council, alternately, for a period of 12 months. The first period shall begin on the date of the first Association Council meeting and end on 31 December of the same year.

*Article 3***Meetings**

1. The Association Council shall meet at least once a year, and when circumstances require, by mutual agreement of the Parties. Unless otherwise agreed by the Parties, the Association Council shall be held at the usual venue for meetings of the Council of the European Union.
2. Each session of the Association Council shall be held at a date agreed by the Parties.
3. The meetings of the Association Council shall be convened jointly by the Secretaries of the Association Council, in agreement with the Chair of the Association Council no later than 30 calendar days before the date of the meeting.

*Article 4***Representation**

1. The members of the Association Council may be represented if unable to attend. If a member wishes to be so represented, he or she shall inform in writing the Chair of the Association Council of the name of his or her representative before the meeting at which the member is to be so represented.
2. The representative of a member of the Association Council shall exercise all the rights of that member.

*Article 5***Delegations**

1. The members of the Association Council may be accompanied by officials. Before each meeting, the Chair of the Association Council shall be informed, through the Secretariat of the Association Council, of the intended composition of the delegation of each Party.
2. The Association Council may, by agreement between the Parties, invite representatives of other bodies of the Parties or independent experts in a subject area to attend its meetings as observers or in order to provide information on particular subjects. The Parties shall agree on the terms and conditions under which these observers may attend the meetings.

*Article 6***Secretariat**

An official of the General Secretariat of the Council of the European Union and an official of Ukraine shall act jointly as Secretaries of the Association Council.

*Article 7***Correspondence**

1. Correspondence addressed to the Association Council shall be directed to the Secretary of either the Union or of Ukraine, who in turn will inform the other Secretary.
2. The Secretaries of the Association Council shall ensure that correspondence is forwarded to the Chair of the Association Council and, where appropriate, circulated to the members of the Association Council.
3. Correspondence so circulated shall be sent, as appropriate, to the General Secretariat of the European Commission, the European External Action Service, the Permanent Representations of the Member States to the European Union and the General Secretariat of the Council of the European Union, as well as the Mission of Ukraine to the European Union.
4. Communications from the Chair shall be sent to the addressees by the Secretaries on behalf of the Chair. Such communications shall be circulated, where appropriate, to the members of the Association Council as provided for in paragraph 3.

*Article 8***Confidentiality**

Unless otherwise decided by the Parties, the meetings of the Association Council shall not be public. When a Party submits information designated as confidential to the Association Council, the other Party shall treat that information as such.

*Article 9***Agendas for meetings**

1. The Chair of the Association Council shall draw up a provisional agenda for each meeting. It shall be dispatched by the Secretaries of the Association Council to the addressees referred to in Article 7 no later than 15 calendar days before the meeting.
2. The provisional agenda shall include the items in respect of which the Chair has received a request for inclusion in the agenda no later than 21 calendar days before the beginning of the meeting. Such items shall not be written into the provisional agenda unless the relevant supporting documents have been sent to the Secretaries before the date of dispatch of the agenda.
3. The agenda shall be adopted by the Association Council at the beginning of each meeting. Any item other than those appearing on the provisional agenda may be placed on the agenda if the Parties so agree.

4. The Chair may reduce, in consultation with the Parties, the time-limits specified in paragraph 1 in order to take account of the requirements of a particular case.

Article 10

Minutes

1. Draft minutes of each meeting shall be drawn up jointly by the Secretaries of the Association Council.
2. The minutes shall, as a general rule, indicate in respect of each item on the agenda:
 - (a) the documentation submitted to the Association Council;
 - (b) any statements which a member of the Association Council requested to be entered in the minutes; and
 - (c) issues agreed upon by the Parties, such as decisions adopted, statements agreed upon and any conclusions.
3. The draft minutes shall be submitted to the Association Council for approval. The Association Council shall approve those draft minutes at its next meeting. Alternatively, those draft minutes can be approved in writing.

Article 11

Decisions and recommendations

1. The Association Council shall take decisions and make recommendations by mutual agreement between the Parties and on completion of the respective internal procedures.
2. The Association Council may also take decisions or make recommendations by written procedure if the Parties so agree. For this purpose, the text of the proposal shall be circulated in writing by the Chair of the Association Council to its members pursuant to Article 7, with a time-limit of no less than 21 calendar days within which members shall make known any reservations or amendments they wish to make. The Chair may reduce the aforementioned time-limit in order to take account of the requirements of a particular case, in consultation with the Parties.
3. The acts of the Association Council, within the meaning of Article 463(1) of the Agreement, shall be entitled 'Decision' or 'Recommendation' respectively, followed by a serial number, the date of their adoption and a description of their subject-matter. Those decisions and recommendations of the Association Council shall be signed by the Chair and authenticated by the Secretaries of the Association Council. Those decisions and recommendations shall be circulated to each of the addressees referred to in Article 7 of these Rules of Procedure. Each Party may decide on the publication of the decisions and recommendations of the Association Council in its respective official publication.
4. Each decision of the Association Council shall enter into force on the date of its adoption unless the decision provides otherwise.

Article 12

Languages

1. The official languages of the Association Council shall be the official languages of the Parties.
2. Unless otherwise decided, the Association Council shall base its deliberations on documentation prepared in those languages.

Article 13

Expenses

1. Each Party shall meet any expenses which it incurs as a result of participating in the meetings of the Association Council, both with regard to staff, travel and subsistence expenditure and with regard to postal and telecommunications expenditure.

2. Expenditure in connection with interpretation at meetings, translation and reproduction of documents shall be borne by the Union. In the event that Ukraine requires interpretation or translation into and from languages other than those provided for in Article 12, expenses related thereto shall be borne by Ukraine.
3. Other expenditure relating to the material organisation of meetings shall be borne by the Party which hosts the meetings.

Article 14

Association Committee

1. In accordance with Article 464(1) of the Agreement, the Association Council shall be assisted in carrying out its duties by the Association Committee. The Association Committee shall be composed of representatives of the Parties, in principle at senior civil servant level.
2. The Association Committee shall prepare the meetings and the deliberations of the Association Council, implement the decisions of the Association Council where appropriate and ensure continuity of the association relationship and the proper functioning of the Agreement in general. The Association Committee shall consider any matter referred to it by the Association Council as well as any other matter which may arise in the course of the implementation of the Agreement. The Association Committee shall submit proposals or any draft decisions or recommendations to the Association Council for its approval. In accordance with Article 465(2) of the Agreement, the Association Council may delegate the power to take decisions to the Association Committee.
3. The Association Committee shall take the decisions and make the recommendations for which it has been authorised under the Agreement.
4. In cases where the Agreement refers to an obligation to consult or a possibility of consultation or where the Parties decide by mutual agreement to consult each other, such consultation may take place within the Association Committee, except as otherwise provided for in the Agreement. The consultation may continue in the Association Council if the Parties so agree.

Article 15

Amendment of Rules of Procedure

These Rules of Procedure may be amended in accordance with Article 11.

ANNEX II

RULES OF PROCEDURE OF THE ASSOCIATION COMMITTEE AND OF SUB-COMMITTEES*Article 1***General provisions**

1. The Association Committee established in accordance with Article 464(1) of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other ('the Agreement'), shall assist the Association Council in the performance of its duties and perform the tasks provided for in the Agreement and assigned to it by the Association Council. Pursuant to Article 465(1) of the Agreement, the Association Council shall determine in its Rules of Procedure the duties and functioning of the Association Committee.
2. The Association Committee shall prepare the meetings and the deliberations of the Association Council, implement the decisions of the Association Council where appropriate and ensure continuity of the association relationship and the proper functioning of the Agreement in general. The Association Committee shall consider any matter referred to it by the Association Council as well as any other matter which may arise in the course of the day-to-day implementation of the Agreement. The Association Committee shall submit proposals or any draft decisions or recommendations for adoption to the Association Council.
3. As provided for in Article 464(2) of the Agreement, the Association Committee shall be composed of representatives of the Parties, in principle at senior civil servant level, who are responsible for specific issues to be addressed at any given meeting.
4. Pursuant to Article 465(4) of the Agreement, when the Association Committee in Trade configuration, as set out in Article 465(4) of the Agreement ('the Association Committee in Trade configuration'), performs the tasks conferred upon it under Title IV of the Agreement, it shall be composed of senior officials of the European Commission and of Ukraine who are responsible for trade and trade-related matters. A representative of the European Commission or of Ukraine who is responsible for trade and trade-related matters shall act as Chair of the Association Committee in accordance with Article 2 of these Rules of Procedure. The meetings will also be attended by a representative of the European External Action Service.
5. As provided for in Article 465(3) of the Agreement, the Association Committee shall have the power to adopt decisions in the cases provided for in the Agreement and in areas in which the Association Council has delegated powers to it. Those decisions shall be binding upon the Parties, which shall take appropriate measures to implement them. The Association Committee shall adopt its decisions by agreement between the Parties after the completion of the respective internal procedures for their adoption.
6. The Parties in these Rules of Procedure shall be defined as provided for in Article 482 of the Agreement.

*Article 2***Chairmanship**

The Parties shall hold the chairmanship of the Association Committee, alternately, for a period of 12 months. The first period shall begin on the date of the first Association Council meeting and end on 31 December of the same year.

*Article 3***Meetings**

1. Save as otherwise agreed by the Parties, the Association Committee shall meet regularly, at least once a year. Special sessions of the Association Committee may be held at the request of either Party, if the Parties so agree.
2. Each meeting of the Association Committee shall be convened by its Chair at a place and on a date agreed by the Parties. The notice of convening the meeting shall be issued by the Secretariat of the Association Committee no later than 28 calendar days prior to the start of the meeting, unless the Parties agree otherwise.

3. The Association Committee in Trade configuration shall meet at least once a year and when circumstances require. Each meeting shall be convened by the Chair of the Association Committee in Trade configuration at a location, on a date and by the means agreed by the Parties. The notice convening the meeting shall be issued by the Secretariat of the Association Committee in Trade configuration no later than 15 calendar days prior to the start of the meeting, unless the Parties agree otherwise.
4. Whenever possible, the regular meeting of the Association Committee shall be convened in due time in advance of the regular meeting of the Association Council.
5. By way of exception and if the Parties so agree, the meetings of the Association Committee may be held by any agreed technological means such as video-conference.

Article 4

Delegations

Before each meeting, the Parties shall be informed, through the Secretariat of the Association Committee, of the intended composition of the delegations attending the meeting on either side.

Article 5

Secretariat

1. An official of the Union and an official of Ukraine shall act jointly as Secretaries of the Association Committee and shall execute secretarial tasks in a joint manner unless these Rules of Procedure provide otherwise, in a spirit of mutual trust and cooperation.
2. An official of the European Commission and an official of Ukraine who are responsible for trade and trade-related matters shall act jointly as Secretaries of the Association Committee in Trade configuration.

Article 6

Correspondence

1. Correspondence addressed to the Association Committee shall be directed to the Secretary of the Association Committee of either Party, who in turn will inform the other Secretary.
2. The Secretariat of the Association Committee shall ensure that correspondence addressed to the Association Committee is forwarded to the Chair of the Association Committee and circulated, where appropriate, as documents referred to in Article 7.
3. Correspondence from the Chair shall be sent to the Parties by the Secretariat on behalf of the Chair. Such correspondence shall be circulated, where appropriate, as provided for in Article 7.

Article 7

Documents

1. Documents shall be circulated through the Secretaries of the Association Committee.
2. A Party shall transmit its documents to its Secretary. The Secretary shall transmit those documents to the Secretary of the other Party.
3. The Secretary of the Union shall circulate the documents to the relevant representatives of the Union and shall copy systematically the Secretary of Ukraine in such correspondence.
4. The Secretary of Ukraine shall circulate the documents to the relevant representatives of Ukraine and shall copy systematically the Secretary of the Union in such correspondence.

*Article 8***Confidentiality**

Unless otherwise decided by the Parties, the meetings of the Association Committee shall not be public. When a Party submits information designated as confidential to the Association Committee, the other Party shall treat that information as such.

*Article 9***Agendas for Meetings**

1. A provisional agenda for each meeting of the Association Committee as well as draft operational conclusions as provided for in Article 10, shall be drawn up by the Secretariat of the Association Committee on the basis of proposals made by the Parties. The provisional agenda shall include items in respect of which the Secretariat of the Association Committee has received a request for inclusion in the agenda by a Party, supported by relevant documents, no later than 21 calendar days before the date of the meeting.
2. The provisional agenda, together with the relevant documents, shall be circulated as provided for in Article 7 no later than 15 calendar days before the date of the beginning of the meeting.
3. The agenda shall be adopted by the Association Committee at the beginning of each meeting. Items other than those appearing on the provisional agenda may be placed on the agenda if the Parties so agree.
4. The Chair of the meeting of the Association Committee may, upon agreement of the other Party, invite representatives of other bodies of the Parties or independent experts in a subject area on an ad hoc basis to attend its meetings in order to provide information on specific subjects. The Parties shall ensure that those observers or experts respect any confidentiality requirements.
5. The Chair of the meeting of the Association Committee may reduce, in consultation with the Parties, the time-limits provided for in paragraphs 1 and 2 in order to take account of special circumstances.

*Article 10***Minutes and operational conclusions**

1. Draft minutes of each meeting of the Association Committee shall be drawn up jointly by the Secretaries of the Association Committee.
2. The minutes shall, as a general rule, indicate in respect of each item on the agenda:
 - (a) a list of participants at the meeting, a list of officials accompanying them and a list of any observers or experts who attended the meeting;
 - (b) the documentation submitted to the Association Committee;
 - (c) statements which the Association Committee requested to be entered in the minutes; and
 - (d) operational conclusions from the meeting, as provided in paragraph 4.
3. The draft minutes shall be submitted to the Association Committee for approval. The Association Committee shall approve those draft minutes at its next meeting. Alternatively, those draft minutes can be approved in writing. The draft minutes of the Association Committee in Trade configuration shall be approved within 28 calendar days of each meeting. A copy shall be sent to each of the addressees referred to in Article 7.
4. Draft operational conclusions of each meeting shall be drawn up by the Secretary of the Association Committee of the Party holding the chairmanship of the Association Committee, and circulated to the Parties together with the agenda, normally no later than 15 calendar days before the date of the beginning of the meeting. That draft shall be updated as the meeting proceeds so that at the end of the meeting, unless agreed otherwise by the Parties, the Association Committee adopts the operational conclusions, reflecting the follow-up actions agreed by the Parties. Once agreed, the operational conclusions shall be attached to the minutes and their implementation shall be reviewed during any subsequent meeting of the Association Committee. To that end the Association Committee shall adopt a template, allowing for each action point to be tracked against a specific deadline.

*Article 11***Decisions and recommendations**

1. In specific cases where the Agreement confers the power to take decisions or where such power has been delegated to it by the Association Council, the Association Committee shall take decisions. The Association Committee shall also make recommendations. Decisions and recommendations shall be made by mutual agreement between the Parties and on completion of the respective internal procedures. Each decision or recommendation shall be signed by the Chair of the Association Committee and authenticated by the Secretaries of the Association Committee.
2. The Association Committee may take decisions or make recommendations by written procedure if the Parties so agree. The written procedure shall consist of an exchange of notes between the Secretaries, acting in agreement with the Parties. For that purpose, the text of the proposal shall be circulated pursuant to Article 7, with a time-limit of no less than 21 calendar days within which any reservations or amendments shall be made known. The Chair may reduce the time-limits specified in this paragraph in order to take account of special circumstances, in consultation with the Parties. Once the text is agreed, the decision or recommendation shall be signed by the Chair and authenticated by the Secretaries.
3. The acts of the Association Committee shall be entitled 'Decision' or 'Recommendation' respectively. Each decision shall enter into force on the date of its adoption unless the decision provides otherwise.
4. The decisions and recommendations shall be circulated to the Parties.
5. Each Party may decide on the publication of the decisions and recommendations of the Association Committee in its respective official publication.

*Article 12***Reports**

The Association Committee shall report to the Association Council on its activities and those of its sub-committees, working groups and other bodies at each regular meeting of the Association Council.

*Article 13***Languages**

1. The official languages of the Association Committee shall be the official languages of the Parties.
2. The working languages of the Association Committee shall be English and Ukrainian. Unless otherwise decided, the Association Committee shall base its deliberations on documentation prepared in those languages.

*Article 14***Expenses**

1. Each Party shall meet any expenses it incurs as a result of participating in the meetings of the Association Committee, both with regard to staff, travel and subsistence expenditure and with regard to postal and telecommunications expenditure.
2. Expenditure in connection with the organisation of meetings and reproduction of documents shall be borne by the Party hosting the meeting.
3. Expenditure in connection with interpreting at meetings and translation of documents into or from English and Ukrainian as referred to in Article 13(1) shall be borne by the Party hosting the meeting.

Interpreting and translation into or from other languages shall be borne directly by the requesting Party.

4. In cases where translation of documents into the official languages of the Union is necessary, the expenditure shall be borne by the Union.

*Article 15***Amendment of Rules of Procedure**

These Rules of Procedure may be amended by a decision of the Association Council in accordance with Article 465(1) of the Agreement.

*Article 16***Sub-Committees, special committees or bodies**

1. In accordance with Article 466(1) and (3) of the Agreement, the Association Committee may decide to establish any sub-committee in specific areas necessary for the implementation of the Agreement other than those provided for in the Agreement, to assist the Association Committee in the performance of its duties. The Association Committee may decide to abolish any such sub-committee and define or amend its rules of procedure. Unless otherwise decided, any such sub-committee shall work under the authority of the Association Committee, to which it shall report after each meeting.
2. Unless otherwise provided for by the Agreement or agreed in the Association Council, these Rules of Procedure shall be applied *mutatis mutandis* to any sub-committee as referred to in paragraph 1.
3. The meetings of sub-committees may be held flexibly as the need arises, in person, either in Brussels or in Ukraine or for example by videoconference. The sub-committees shall act as a platform to monitor progress on approximation in specific areas, to discuss certain issues and challenges arising from that process and to formulate recommendations and operational conclusions.
4. The Secretariat of the Association Committee shall receive a copy of all relevant correspondence, documents and communications pertaining to any sub-committee, special committee or body.
5. Unless otherwise provided for in the Agreement or agreed by the Parties within the Association Council, any sub-committee, special committee or body shall only have the power to make recommendations to the Association Committee.

Article 17

These Rules of Procedure shall apply *mutatis mutandis* to the Association Committee in Trade configuration unless otherwise provided.

DRAFT

DECISION No 2/2014 OF THE EU-UKRAINE ASSOCIATION COUNCIL
of ...
on the establishment of two Sub-Committees

THE EU-UKRAINE ASSOCIATION COUNCIL,

Having regard to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part ⁽¹⁾ ('the Agreement'), and in particular Article 466 thereof,

Whereas:

- (1) In accordance with Article 486 of the Agreement, parts of the Agreement have been applied provisionally as of 1 November 2014.
- (2) Pursuant to Article 466(2) of the Agreement the Association Council may decide to set up any special committee or body in specific areas necessary for the implementation of the Agreement to assist the Association Council in carrying out its duties.
- (3) In order to allow for expert level discussions on the key areas falling within the scope of the provisional application of the Agreement, two sub-committees should be established.
- (4) Upon agreement of the Parties, it should be possible to modify the list of sub-committees and the scope of the individual sub-committees,

HAS ADOPTED THIS DECISION:

Article 1

The Sub-Committees listed in the Annex are hereby established.

Article 2

The Rules of Procedure of the Sub-Committees listed in the Annex are governed by Article 16 of the Rules of Procedure of the Association Committee and of Sub-Committees as adopted by Decision No 1/2014 of the EU-Ukraine Association Council.

Article 3

Upon agreement of the Parties the list of Sub-Committees set out in the Annex and the scope of individual Sub-Committees listed in the Annex can be modified.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at,

For the Association Council
The Chair

⁽¹⁾ OJ L 161, 29.5.2014, p. 3.

ANNEX

LIST OF SUB-COMMITTEES

- (1) Sub-Committee on Freedom, Security and Justice
- (2) Sub-Committee on Economic and Other Sector Cooperation.

DRAFT

DECISION No 3/2014 OF THE EU-UKRAINE ASSOCIATION COUNCIL**of ...****on the delegation of certain powers by the Association Council to the Association Committee in Trade configuration**

THE EU-UKRAINE ASSOCIATION COUNCIL,

Having regard to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part ⁽¹⁾ ('the Agreement'), and in particular Article 463(3) and Article 465(2) thereof,

Whereas:

- (1) In accordance with Article 486 of the Agreement, parts of the Agreement have been applied provisionally as of 1 November 2014.
- (2) Pursuant to Article 461(1) of the Agreement, the Association Council is responsible for supervising and monitoring the application and implementation of the Agreement.
- (3) Pursuant to Article 465(2) of the Agreement, the Association Council may delegate to the Association Committee any of its powers, including the power to take binding decisions.
- (4) Pursuant to Article 465(4) of the Agreement, the Association Committee is to meet in a specific configuration to address all issues related to Title IV (Trade and Trade-related Matters) of the Agreement.
- (5) In order to ensure smooth and timely implementation of the part of the Agreement related to the Deep and Comprehensive Free Trade Area, the Association Council should delegate the power to update or amend the Annexes to the Agreement which relate to Chapters 1, 2, 3, 5, 6 and 8 of Title IV (Trade and Trade-related Matters) of the Agreement to the Association Committee in Trade configuration, as set out in Article 465(4) of the Agreement, to the extent that there are no specific provisions in those Chapters relating to the updating or the amendment of those Annexes,

HAS ADOPTED THIS DECISION:

Article 1

The Association Council hereby delegates the power to update or amend the Annexes to the Agreement which relate to Chapters 1 (Annexes I-C and I-D to the Agreement), 2 (Annex II to the Agreement) and 3, 5, 6 and 8 of Title IV (Trade and Trade-related Matters) of the Agreement to the Association Committee in Trade configuration, as set out in Article 465(4) of the Agreement, to the extent that there are no specific provisions in those Chapters relating to the updating or the amendment of those Annexes.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at ...,

For the Association Council
The Chair

⁽¹⁾ OJ L 161, 29.5.2014, p. 3.

CORRIGENDA

Corrigendum to Commission Regulation (EU) No 1302/2014 of 18 November 2014 concerning a technical specification for interoperability relating to the ‘rolling stock — locomotives and passenger rolling stock’ subsystem of the rail system in the European Union

(Official Journal of the European Union L 356 of 12 December 2014)

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